**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NOS.2513 OF 2005 TO 2522 OF 2005

Mr S.K.Agrawal and ors. .. Petitioners.
Vs
R.Natrajan & ors. .. Respondents

Mr Nitin Pradhan i/b Mr R.K.Associates, for the petitioners.
Ms Hutoxi with Mr B. Devda, for respondent no.1.
Mr A.S.Shitole, APP for the respondent.

**CORAM : D.B.BHOSALE, J.**

**DATED : 14.08.2006**

P.C.:
1. Heard the learned counsel for the parties.

2. The only grievance made by Mr Pradhan, learned counsel for the petitioners, was that the petitioners were the employees of accused no.1-company and when the alleged offence under section 138 was committed they were acting under the instructions and on the directions of the Board of Directors and, therefore, unless the accused no.1-company is served in the complaint, the learned Magistrate can not and should not proceed with the hearing of the case. Ms. Hutoxi, learned counsel for the respondent-complainant, submits that as per her instructions the respondent-company has already been served on their previous address. The registered address of the company has now been changed. She,therefore, submits that since the address of the

company has changed they will once again serve the company and steps to that effect will be taken immediately. In view of the statement made by Ms Hutoxi for the respondent-complainant, Mr Pradhan, learned counsel for the petitioners prays for withdrawal of these petitions. The writ petitions are disposed of as withdrawn.

. Liberty to the respondent-complainant to move for early disposal of the cases immediately after summons is served on the new address of the company. The learned Magistrate shall proceed with the hearing of all the cases and dispose them at the earliest. He may also proceed to record plea in the cases in which it has not been recorded so far.

(D.B.BHOSALE,J.)